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THE

QUEBEC CONFSSIONAL CASE,

TO WHICH IS ADDED THE

Archbishop of Canterbury's

DÉCISION ON THE POOLE CASE, TOGETHER WITH AN
ARTICLE FROM THE "TIMES" THEREON.

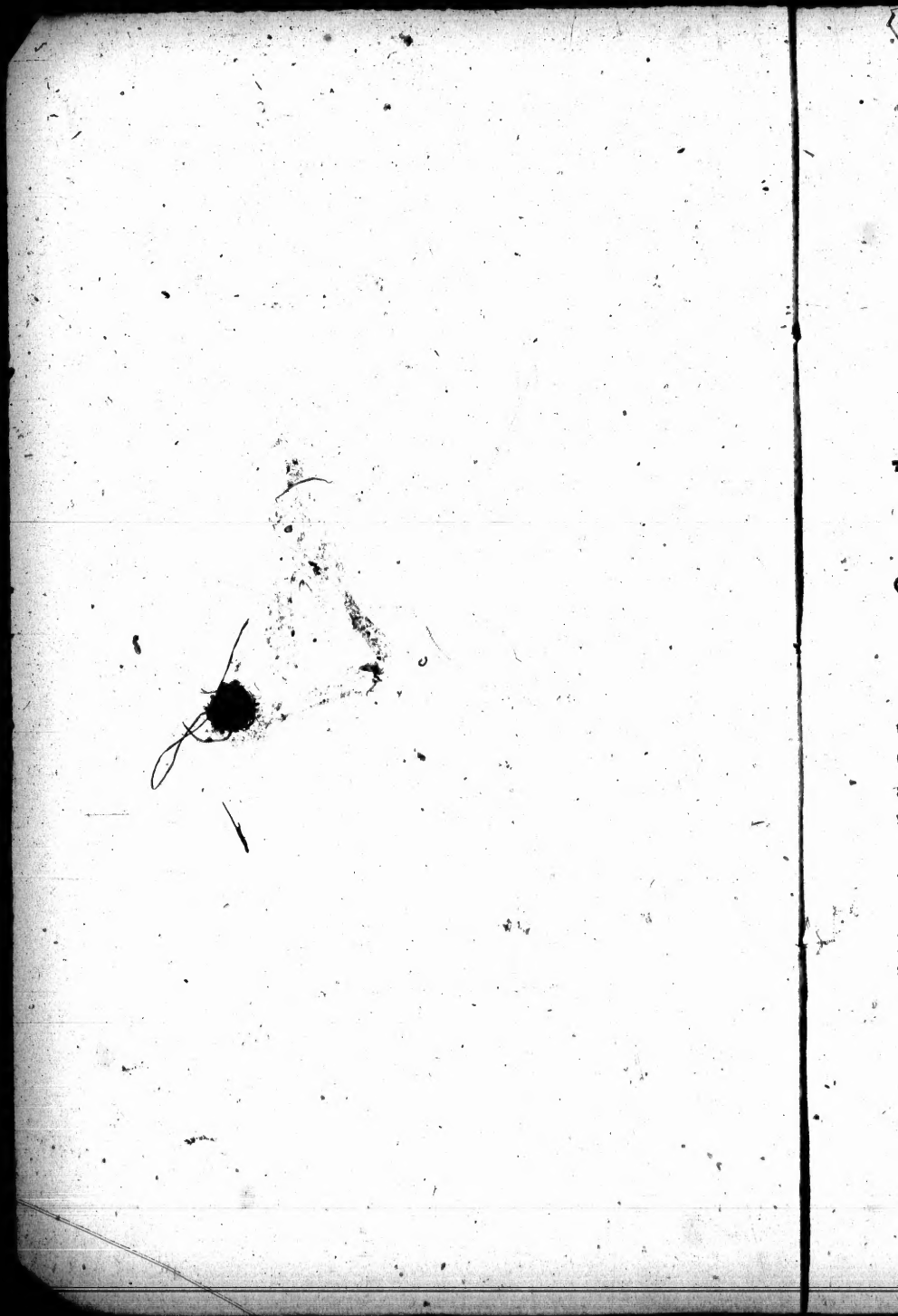
From the Quebec Gazette, Wednesday, April 13, 1859.



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1859.



THE
Quebec Confessional Case,

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THE ARCHBISHOP OF CANTERBURY'S DECISION ON THE POOLE CASE, TO-
GETHER WITH AN ARTICLE FROM THE "TIMES" THEREON.

(From the Quebec Gazette, Wednesday, April 13, 1859.)

We publish the following papers connected with the case which has furnished matter for Quebec Confessional conversation through the city for some months past. It may not be incumbent on us to interpose any animadversions upon the merits of a question which is exposed in official documents: but as common observers, we feel free to state that there is an air of truthfulness about the plain story and reasoning of the complainant, which strongly contrast with the special pleading of the report. Particularly we are at a loss to understand why a commission of enquiry declined to collect all the testimony offered to them, and then based their report upon a statement that the evidence

was insufficient. This does appear to us to have been a mistake. But we leave our readers to judge.

STATEMENT OF THOMAS GIBSON, living at No. 52, Richelieu street, St. John Suburbs :—

"I am a member of the Church of England; my wife has been sick a long time, and is on her death-bed. The Revd. Mr. Roe has visited her often and been very kind to us. One day, about two or three months ago, after reading and conversing with her upon religious matters, my wife expressed her regret at her neglect of her church. He said, 'My dear Mrs. Gibson, it is a sad thing to have such sins on your mind?' She asked, 'In what way?' He then put the following questions :—

"Did you ever do any wrong to your father or mother?"

"Did you ever steal?"

"Did you ever commit murder?"

"Did you ever swear?"

"Did you ever say anything bad of your neighbours, and know they were not deserving of it?"

"Did you ever commit adultery?"

"My wife was very much shocked at this, and thought it very curious. But she said nothing about it till after Mr. Roe was gone. She came into the room where I was working, and told me he had put these questions, which made me and

her feel very angry. She wanted me to speak about them at once, but I told her that we never had a clergyman to visit us before, and perhaps that was the way in the church, so that we had better wait a little, though we thought it very improper to ask such questions. After she had answered, he said that he did not want her to confess to him, but he was glad she had spoken the truth. After the sixth and eighth commandments, he asked her to be sure she had not broken them.

“ Now, I think this way of going on is not right, and the questions not proper, especially to a young woman like my wife, who is only 25 years old. But I think it my duty to make it known to you, because I do not think it right that the wives or daughters of English churchmen should have such questions put to them. As I have before said, Mr. Roe has been very kind to us ; and at first I did not know the rules of the church, and I did not wish to hurt any one ; but, as a husband, I think I owe it to others to keep them from such questions, even though it is unpleasant to do so.

“ I do, therefore, request that your Lordship will please to consider over the matter, as, unfortunately, by some means, it has got known, and great additions made ; and, as I declare to your Lordship that I am innocent of the report that is circulated, I do, therefore, out of justice to Mr. Roe and myself, wish that the truth should be known to you, and do, therefore, hope that your Lordship

will please to answer this in writing, and let me know what decision you have come to.

"I do declare the above to be a true statement of facts.

Her

"ELLEN X GIBSON,
mark.

"THOMAS GIBSON.

Witness, { John Worthington,
William Taylor.

Quebec, February 14th, 1859.

REPORT.

Having been requested by your Lordship to investigate the circumstances connected with a complaint made by one Thomas Gibson, against the Revd. Henry Roe—a written statement of which, signed by Mr. and Mrs. Gibson, in the presence of witnesses, was transmitted to us by your Lordship, we beg to make the following report of the proceedings taken by us, and of the opinion which we have formed on the subject.

On the 28th ult., we met at the Rectory, and Mr. Gibson, attended by the Hon. F. W. Primrose as his adviser, and Mr. Roe, were present.—Gibson, on being questioned by us, stated that he had no further or other complaint to make against Mr. Roe than that contained in his written statement.

In consequence of the conversation between Mr. Roe and Mrs. Gibson, upon which the charges are founded, having taken place in the absence of any third party, and from our having discovered one inaccuracy in the document laid before us, we were at first disposed to dismiss the case for want of evidence to support the charge made against Mr. Roe.

Believing, however, that it would be satisfactory to all parties to have the matter investigated as far as possible, we examined the husband of Mrs. Gibson, and received a written statement from Mr. Roe (which we beg to enclose) in refutation of the charge made against him. This letter was read by us in the presence and hearing of Mr. Gibson, on hearing which he remarked that Mr. Roe's statement was incorrect in two particulars: first, that when on the Friday evening mentioned towards the conclusion of the letter, he had requested Mr. Roe to return and his wife, he did not wish him to do so in his character of a clergyman, but merely as a friend, and with the hope that by some explanation the misunderstanding existing between them might be removed; and second, that when Mr. Roe did return to his house on the evening of the 13th February, he was not specially requested to do so.

It will be observed that neither of these assertions, made by Mr. Gibson, is at all inconsistent with Mr. Roe's letter, and that the facts which he

disputes are in themselves quite unimportant.—Mr. Gibson did not impugn the correctness of Mr. Roe's statement in any other particular. It may, therefore, be assumed that Mr. Roe's letter is admitted by Gibson, excepting so far as it is contradicted by his written statement, to contain a correct narrative of the occurrence.

In presenting this report, we must advert to the great suspicion which is necessarily thrown upon the story as now told by Gibson, from the circumstance that the alleged questions were said to have been put by Mr. Roe, when he commenced his visits to Mrs. Gibson in the early part of October last; that although they felt very "angry" at the time, and thought Mr. Roe's conduct "very improper," they, nevertheless, permitted him to continue his visits almost daily for a period of four months, without having even adverted in the most distant manner to the conduct at which they now profess to have been shocked, or asked any explanation from him on the subject; and that Gibson was only induced to make the present complaint after he had been interrogated as to the nature of the conversations which took place when Mr. Roe visited at his house, and doubts and suspicions had been suggested to his mind by persons who appeared anxious to destroy the confidence which he had evidently up to that time felt in his clergyman.

The suspicion thus felt by us is strengthened by

the fact that Mrs. Gibson always expressed herself pleased and satisfied with Mr. Roe's visits; that she made such progress in understanding the great doctrines of the Bible, and was so far led to embrace the offer of salvation through Christ, that she, together with her husband, received (for the first time in their lives) the Holy Communion, at the hands of Mr. Roe, on the 1st January, 1859.

We submit, then, that from the foregoing it is manifest to us that Mr. Roe really never did put to Mrs. Gibson the alleged questions, either in the form or spirit in which it is asserted that he did; but that some misconception of the instruction which he intended to convey to her has been occasioned by her ignorance, and by her mind having never before been awakened to the importance of religion;—a view of the case which Gibson himself admitted to be correct, when an explanation on the subject recently took place between him and Mr. Roe, in the presence of Mr. Houseman.

The only ground upon which we imagine the present charge can have been founded (and which substantiates the opinion just expressed,) is the explanation which Mr. Roe remembers to have once given of St. Matthew v. 21, &c. Upon that occasion, Mr. Roe explained the extent and spirituality of the Divine Law, and how we are all violators of each one of the ten commandments—a fact which Mrs. Gibson seemed reluctant to acknowledge,

and one which her husband still cannot altogether acquiesce in. In following out this subject, it seems that Mr. Roe requested Mrs. Gibson to interrogate her own heart upon the several points referred to by our Lord, and to see whether she had not been guilty of every one, and begged her to make confession, not to himself (for this is a particular expressly admitted in the document before us) but to God, the searcher of hearts, and by sincere repentance and faith in Christ to seek forgiveness of her sins.

We believe, therefore, that there has been (as before stated,) a misconception in the mind of Mrs. Gibson, upon the manner in which Mr. Roe treated the subject above alluded to, and that consequently there is no real ground of complaint.

March 12, 1859.

(Signed),

GEO. IRVINE,
GEO. V. HOUSMAN,
ROBERT ARNOLD,
ROBT. GEO. PLEES.

To the Rt. Rev. Lord Bishop of Quebec.

BISHOP'S LETTER.

The Bishop of Quebec desires to inform Mr. Gibson that he received yesterday, after divine service, the Report of the Commission which he

had appointed for ascertaining whether there were any grounds made good, in the complaints brought by Mr. Gibson against the Rev. Mr. Roe, for official animadversion upon the proceedings of, that clergyman: and the Commission has reported that no such grounds are found to exist.

Bardfield, 14th March, 1859.

(To the Editor of the Quebec Gazette.)

SIR,—I beg space for some remarks upon a few points in the above Report.

I make no remark upon the general spirit of it, because the public can judge how far it is an impartial document, and how far the work of a lawyer defending a client.

Neither do I notice several smaller matters, which I could easily, and did, explain, because only the main points are important, and I wish to be brief.

The Commission state that there was want of evidence, because a third party was not present when the questions were put. But no clergyman would put such questions in the presence of a third party. The confessional of the church of Rome is private. My wife's affidavit of the truth of her statement was laid before the Commission. I also offered any two of the gentlemen a personal interview with her, that they might examine her them-

selves; but this was declined. Relative to my wife's veracity, one said that he knew Mr. Roe and did not know Mrs. Gibson, and therefore would believe Mr. Roe. Another (if not all) said that as the questions were in themselves proper, it did not signify whether they were put or not. Another remarked that it should be remembered that my wife's statements were supported by oath, whilst Mr. Roe's were not. Yet many things in the Report are based solely upon Mr. Roe's statements. If the evidence was insufficient, why did not the Commission come to my house to hear for themselves? Mr. Housman was a witness of a conversation in Mr. Roe's house, and is afterwards a judge in the case. But what I then said is misrepresented, but I never admitted that my wife was wrong, only that if Mr. Roe would come (which I invited him to do), and convince her that she was, I would give him my handwriting for it. Although what I said in the presence of Mr. Housman is alluded to, I was stopped when I wanted to speak of my wife having repeated the questions in the presence of Mr. Sewell, with Mr. Roe also present, when he told her that she told an "infamous lie." I also said that she had repeated the same things to several persons, from the very day when the questions were put, and when all was fresh in her memory. Mr. Roe, on the day Mr. Sewell was there, said to Mr. Brown (the Roman Catholic lodger, who on the day of the questions

had joked her about being at her confession) that she was an obstinate woman, but he replied—
 “Well, sir, she has stuck to the same story from the very first.”

My wife’s affidavit was thought insufficient evidence ; but on what evidence do the commission say that they “*imagine*” the charge to have been founded, &c. ; and that some persons “*appear*” to have been anxious to destroy confidence in Mr. Roe, &c. ; and that it “*seems*” that Mr. Roe, &c. ? If so scrupulous about evidence supported by affidavit, why do they indulge in mere conjectures involving the motives of others ? If the evidence was insufficient, were not the commission bound to try and get better if they could, by coming to see and cross-question my wife, as I offered ? But, with her affidavit and my unaccepted offer before them, they conclude that Mr. Roe never did put the questions at all !

Why we did not complain sooner is easily explained. We had never had sickness before, and did not know the ways of the clergy. Mr. Roe himself would not have been the right person to ask whether he had not put improper questions ; so, although my wife often wanted me to complain, we went on until we learnt from some other members of the Church that such questions were not the ways of Protestant clergymen, but of Roman Catholic priests ; then I told Mr. Roe, and complained to the Bishop, who has not yet answered whe-

ther such questions are proper or not. As to my wife's being always pleased with Mr. Roe's visits, the commission, who declined to see and question her for themselves, and think her affidavit insufficient evidence, have only Mr. Roe's word for it—which throughout, they believed rather than my wife's affidavit. I believe she was thankful to any one who came to see her; but from what she said, she evidently had some doubt about his teaching all along, and latterly said to others that he used to bewilder her. We never pretended to be well instructed in religion; but many who knew my poor wife before she died, can testify that she was quick and intelligent about matters of fact, and about what was said to her. I, for my part, cannot help believing that she swore to the truth, and that the questions were put to her, notwithstanding all the excuses the commission make for Mr. Roe. But she is gone now, and the questions cannot hurt her, only I have wished to do my duty to other wives and daughters, as well as to her and to myself. And, having done this, I now leave the whole thing as it is with the public.

THOMAS GIBSON.

Quebec, 11th April, 1859.

By way of addendum, we copy the following from the *London Evening Mail* of the 24th ultimo,

referring to another celebrated confessional case:—

THE CONFESSIONAL IN THE CHURCH OF ENGLAND.—Judgment in this case, in which the Rev. Alfred Poole (of confessional notoriety) was appellant, and the Bishop of London the respondent, was delivered at Lambeth Palace on Wednesday.

The Archbishop of Canterbury was assisted by his assessor, Dr. Lushington. After the assessor had read his report, giving a detailed exposition of the law and the facts of the case, his Grace pronounced the following judgment:—"With the assistance of my learned assessors I have given the merits and the circumstances of this appeal my most serious and careful consideration. I am of opinion that the proved and admitted allegations afford, in the language of the statute, good and reasonable cause for the revocation of this license, and that the Lord Bishop of London has exercised a good and sound discretion in revoking the same; and I am further of opinion that the course pursued by the appellant is not in accordance with the rubric or doctrines of the Church of England, but most dangerous, and likely to produce most serious mischief to the cause of morality and religion." The decree and revocation was then formally recorded, and the court adjourned.

Mr. Poole has at length arrived at the result for which he has long been striving; that is, an em-

phatic condemnation, by the highest ecclesiastical authority, of his peculiar views upon the subject of confession, and a formal confirmation of the sentence by which his licence was revoked. There is not another word to be said against the manner in which these final proceedings have been conducted, although, undoubtedly, the Archbishop of Canterbury had been misled in the first instance by wrong advice. It was a monstrous thing that Mr. Poole should have questioned women in a locked vestry upon their violation of the Seventh Commandment. It was almost equally monstrous that he should be condemned unheard. The Court of Queen's Bench has put the Archbishop right, and the Archbishop has put Mr. Poole right, and the matter is now brought to a satisfactory conclusion. Henceforward let us hope that the Archbishop and his successors will not visit curates with so severe a penalty as the revocation of a licence implies, without giving them a full opportunity of defence; and further, that curates will abstain from walking in the steps of Mr. Poole in this particular matter. It is but fair to that gentleman to state that the Bishop of London, after due investigation, seems to have arrived at the conclusion that he had not addressed to his penitents the filthy questions of which we have heard so much. Of this he stands acquitted; on the other hand, it seems to be equally clear, upon his own admission, that he had interrogated women upon the matters

referred to, and that he justified his conduct as consistent with the rubrics and doctrines of the Church of England. The Archbishop of Canterbury and the Bishop of London now tell us that this is not so ; that the views of Mr. Poole on the subject of Confession generally, and especially upon Confession where a violation of the Seventh Commandment is at issue, are of dangerous tendency, and calculated to bring scandal on the Church.

It is curious to mark how numbers of excellent people, simply by dwelling for a length of time exclusively upon one idea, can arrive ultimately at conclusions which they would have spurned before the process of intellectual and sentimental incubation began. Here is Mr. Poole, now—we doubt not a most excellent and moral man—who, after a due course of the one-idea fever, found himself locked up with a woman in the vestry of St. Barnabas, putting searching questions to her upon the subject of her unchastity. But be it most clearly and broadly understood, that we do not mean to suggest the faintest shadow of an inference against Mr. Poole's personal morality. We quote him but as an example of an excellent but simple young man whose brains had got muddled on the point of Auricular Confession, just as Don Quixotte's wits were turned upon the subject of chivalry. Could the Knight of La Mancha, when in his sober senses, and before he took to his library of romance,

have seen a picture of himself charging the wind-mills or stabbing the wine-skins, he would surely have said, "Why, that's the picture of a madman!" In the same way, had Mr. Poole, before his head was addled by the perusal of such little volumes of nonsense as the one which Mr. Gresley has given to the world upon this particular subject—had he, we say, seen himself locked up in the vestry of St. Barnabas and conferring with a Pimlico Magdalen upon the Seventh Commandment, he would have deemed himself a fit inmate for Bedlam. Granting—as we are fully prepared to grant—that he himself was pure as the topmost drift of snow on the crown of Mount Blanc, would it be so with others? Was this a practice which would be tolerated in the British Islands—save by the Roman Catholic portion of the population—in the year 1859? There is no doubt that, step by step, a man may ascend the ladder of mental delusion until he has forgotten how far he has left the solid earth, upon which human beings must be content to walk, beneath him. Ordinary men of our time, however, have no sympathy with those acrobats of imagination. As was well remarked by an old divine, though not one of Mr. Poole's school, "True religion is the most common-sense thing in the whole world." While you arrive at such conclusions as Mr. Poole deduced in the vestry of St. Barnabas, there is something false in your premises or your reasoning. Your conclusion is a practical absurdity, and,

therefore, some or all of the steps by which you reached it are false.

The subject is so delicate an one that we almost fear to remark upon it at all; yet surely it cannot be wrong that an independent voice should be uplifted somewhere to warn these excellent young gentlemen that they really must abstain from cross-examining English women upon such subjects. With the great bulk of the middle classes they can do but little harm, for there they have to deal with occupied and educated people. The sect to which Mr. Poole belongs may be fashionable for a season in Belgravia and other polite quarters, but it came in like crinoline, and like crinoline it will go out. In those regions its success is based upon the idleness and ennui of the population and generally of that graceful and interesting section of it which is composed of young ladies under 25 years of age. With the humbler classes the evil is greater, for with regard to them, no doubt, the priest has the advantage of knowledge and position, as opposed to ignorance and no position at all. The machinery of charities, and doles, and customers, and employers, and lady-visitors, too, can be thrown into gear for their benefit with startling effect. It is just the old story of electioneering oppression as applied to matters of religion. Certain of the humbler classes are at the mercy of their employers and patrons, and these persons choose to establish a religious test as the price of their favors. We

must in justice to the High Church party say that instances of a similar system of oppression committed by the other side have been brought under our notice. Such and such an Evangelical minister, again, has before now been as much the spiritual inquisitor of his flock (and the crooks of these gentlemen have been pretty long ones) as any Anglican priest who ever labored at the Confessional. It does not signify much if the inquisitorial process is to take place at all, whether the penitent be standing, sitting, or kneeling. It is not a question of a posture, but a fact, and the fact is the abuse of priestly power. The abuse of this power has been brought very offensively before the public in this case of Mr. Poole, but we are far indeed from asserting that cognate abuses do not take place on the other side. The matter must be left, after all, to the discretion of the heads of families. It is their business—indeed, one of their highest duties—to guard all persons under their authority from such dangerous delusions. In case of abuse it only requires that the fact should be made public, and publicity will soon supply a remedy sharper than any in the laboratory of Bishop or Archbishop.





